

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION**

WEBSTER BANK, NATIONAL ASSOCIATION,)
)
) Case Number: 08 C 183
Plaintiff)
)
)
v.) Assigned Judge: Judge Kocoras
)
OLGA YAVORSKAYA,) Designated
)
Defendant.) Magistrate Judge: Magistrate Judge Cox
)

PLAINTIFF'S NOTICE OF VOLUNTARY DISMISSAL

Plaintiff Webster Bank, National Association (“Webster”), by and through its attorneys, respectfully notifies this Court that it is voluntarily dismissing this case pursuant to Federal Rule of Civil Procedure 41(a). Webster also states as follows:

1. Rule 41(a)(i) allows a plaintiff to voluntarily dismiss an action without a court order by filing a notice before the opposing party serves an answer or a motion for summary judgment.
2. To date, the Defendant has not served an answer or a motion for summary judgment.
3. On or about April 10, 2008, the Defendant filed a voluntary bankruptcy petition in the United States Bankruptcy Court for the Northern District of Illinois.
4. Webster is voluntarily dismissing this case to comply with the provisions of 11 USC § 362(a), which grants a stay from collections to debtors filing a bankruptcy petition.
5. Webster respectfully dismisses this case without prejudice, subject to being reinstated if the bankruptcy case is dismissed, the debtor is denied a discharge, the bankruptcy

court finds the debt to be non-dischargeable, or if Plaintiff obtains an order modifying the automatic stay to allow it to proceed.

Dated: May 28, 2008

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Respectfully submitted,
Webster Bank, National Association,
s// Daniel Lynch (filed electronically)
By: One of Its Attorneys